

Exhibit 70

Martin Tripp Deposition

Excerpts

~~Martin Tripp-Confidential~~

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

REPORTER'S CERTIFIED
TRANSCRIPT

TESLA, INC., a Delaware
corporation,

Plaintiff,

v.

MARTIN TRIPP,

Defendant,

AND RELATED COUNTER-CLAIMS.)

) Case No.:

) 3:18-cv-00296 LRH-CBC

CONFIDENTIAL

CONFIDENTIAL

VIDEOTAPE DEPOSITION OF MARTIN TRIPP

PHOENIX, ARIZONA
WEDNESDAY, SEPTEMBER 4, 2019
9:01 A.M.

DAVID M. LEE, RMR, CCR
Certified Reporter
Certificate Number 50391
File No.: 19-29468



~~Martin Tripp-Confidential~~

09:48 1 Q. Which year?

09:48 2 A. 2015.

09:48 3 Q. So you were married in 2015.

09:48 4 A. Yes, so four years.

09:48 5 Q. When you were sharing information with

09:48 6 Linette Lopez, information that you had obtained

09:48 7 from Tesla, did -- did your wife know about that?

09:48 8 A. She did not.

09:48 9 Q. Did you tell her that "I might lose my

09:49 10 job"?

09:49 11 MR. FISCHBACH: I'm going to object on the

09:49 12 basis of marital privilege and instruct the witness

09:49 13 not to answer.

09:49 14 MR. GATES: And we're going to play this

09:49 15 little game probably throughout, which is he

09:49 16 instructs you not to answer. I ask you "Are you

09:49 17 going to follow your attorney's instruction?" So

09:49 18 you have to decide whether or not to follow his

09:49 19 instruction.

09:49 20 Q. So I'm going to ask you are you going to

09:49 21 follow your attorney's instruction?

09:49 22 A. Yes, I am.

09:49 23 Q. When you were sharing information with

09:49 24 Linette Lopez, information that you had taken from

09:49 25 Tesla, how did you think it was all going to end?

09:49 1 What did you think was going to be accomplished?

09:49 2 A. I was hoping that it would cause Tesla to

09:49 3 change it's ways and improve things. That's what I

09:50 4 was hoping for.

09:50 5 Q. Did you think that even if Tesla changed its

09:50 6 ways, it might have been upset that somebody had

09:50 7 taken its information and shared it with a reporter?

09:50 8 MR. FISCHBACH: Objection; foundation.

09:50 9 Answer if you can.

09:50 10 THE WITNESS: That was a possibility, but

09:50 11 based on the issues that I saw, I was more concerned

09:50 12 to get the information out than the repercussions

09:50 13 from that.

09:50 14 Q. BY MR. GATES: Did you think in the end you

09:50 15 were going to be seen as a hero?

09:50 16 A. I did not think of it that way at all.

09:50 17 Q. You didn't.

09:50 18 What did you think was going to happen

09:50 19 with your job?

09:50 20 A. I didn't think that far ahead; I was not

09:50 21 worried. I was more concerned about public safety.

09:51 22 Q. Do you think you should be viewed as a hero

09:51 23 for disclosing Tesla's confidential information to

09:51 24 a reporter?

09:51 25 A. No.

~~Martin Tripp-Confidential~~

11:09 1 MR. FISCHBACH: Object to the form of the
11:09 2 question.

11:09 3 Answer if you can.

11:09 4 THE WITNESS: From my experience at
11:09 5 previous employers.

11:09 6 Q. BY MR. GATES: Okay.

11:09 7 And those are the previous employers
11:09 8 that would say that you were an excellent employee.

11:09 9 A. Yes.

11:09 10 (Deposition Exhibit Number 19 was marked
11:10 11 for identification.)

11:10 12 Q. BY MR. GATES: All right. Let me give you
11:10 13 what's been marked as Exhibit 19.

11:10 14 So this is an e-mail that you sent to
11:10 15 Linette Lopez on May 30th, 2018. Is that right?

11:10 16 A. That is correct.

11:10 17 Q. And she is asking you to comment on certain
11:10 18 things from Tesla's quarterly report; right?

11:10 19 A. It appears, yes.

11:10 20 Q. So you had raised a couple of concerns with
11:10 21 Ms. Lopez about scrap. You said Model 3 production
11:10 22 numbers, and safety concerns you said, because you
11:10 23 wanted to see change at Tesla; right?

11:10 24 A. Yes.

11:10 25 Q. And now she's asking you to comment on all

~~Martin Tripp-Confidential~~

11:11 1 were -- no one was addressing.

11:11 2 Q. So you were just going to keep going and

11:12 3 keep going, until every one of your issues was

11:12 4 addressed.

11:12 5 MR. FISCHBACH: Object to the form of the

11:12 6 question.

11:12 7 Answer if you can.

11:12 8 THE WITNESS: They weren't necessarily my

11:12 9 issues, they were everybody's issues.

11:12 10 Q. BY MR. GATES: Okay. So every issue that

11:12 11 you saw that you thought was an issue or problem at

11:12 12 the Tesla Gigafactory, you were going to keep giving

11:12 13 Linette Lopez information about it until it was

11:12 14 resolved to your satisfaction.

11:12 15 MR. FISCHBACH: Same objection.

11:12 16 Answer --

11:12 17 Q. BY MR. GATES: Right?

11:12 18 MR. FISCHBACH: Answer if you can.

11:12 19 THE WITNESS: Yes.

11:12 20 (Deposition Exhibit Number 20 was marked

11:12 21 for identification.)

11:12 22 Q. BY MR. GATES: Okay. Let me give you what

11:12 23 will be marked as Exhibit 20.

11:13 24 Okay. Mr. Tripp, so Exhibit 20 is an

11:13 25 e-mail that you sent from -- from yourself to

1 I CERTIFY that the foregoing deposition
2 was taken by me pursuant to Notice; that I was then
3 and there a Certified Reporter for the State of
4 Arizona, and by virtue thereof authorized to
5 administer an oath; that the witness before
6 testifying was duly sworn by me to testify to the
7 truth; that the questions propounded by counsel and
8 the answers of the witness thereto were taken down
9 by me in shorthand and thereafter transcribed under
10 my direction, and that the foregoing typewritten
11 pages contain a full, true, and accurate transcript
12 of all proceedings had upon the taking of said
13 deposition, all done to the best of my skill and
14 ability; that deposition review and signature was
15 requested.

16 I FURTHER CERTIFY that I am in no way
17 related to nor employed by any of the parties
18 hereto, nor am I in any way interested in the
19 outcome hereof.

20 DATED at Phoenix, Arizona, this 16th
21 day of September, 2019.

22 

23 _____
24 David M. Lee, RMR, CRR
25 Arizona Certificate No. 50391